

1 may treat the facts asserted by Defendants as “undisputed for purposes of the motion.” Fed. R.
2 Civ. P. 56(e)(2).

3 However, given Plaintiff’s *pro se* status, the Court will not impose any sanctions or treat
4 the facts asserted by Defendants as undisputed at this time. Rather, to ensure that Plaintiff has had
5 a sufficient opportunity to respond, the Court will grant Plaintiff one final opportunity to respond.
6 Accordingly, based on the foregoing, IT IS HEREBY ORDERED that:

7 1. Plaintiff has until December 21, 2021, to file and serve an opposition or a
8 statement of non-opposition to Defendants’ motion for summary judgment, or to request
9 additional time to do so.

10 2. If Plaintiff files an opposition, Defendants have seven days from the date the
11 opposition is filed in CM/ECF to file and serve a reply to the opposition.

12 3. If Plaintiff fails to comply with this order, in ruling on Defendants’ motion for
13 summary judgment the Court may treat the facts asserted by Defendants in the motion for
14 summary judgment as undisputed. Alternatively, the Court may recommend that this case be
15 dismissed for failure to prosecute and failure to comply with a court order.

16
17 IT IS SO ORDERED.

18 Dated: December 7, 2021

19 /s/ Eric P. Gray
20 UNITED STATES MAGISTRATE JUDGE